

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM KLAMUT,  
Plaintiff,

v.

CALIFORNIA HIGHWAY PATROL, et al.,  
Defendants.

Case No. [15-cv-02132-MEJ](#)

**ORDER TO SHOW CAUSE**

On August 20, 2016, Plaintiff William Klamut (“Plaintiff”) filed his Amended Complaint. *See* Dkt. No. 10. Although the Court has issued summonses for Defendants Murillo, Koolman, and Egan<sup>1</sup> (*see* Dkt. No. 13), Plaintiff has not filed a proof of service as to these Defendants. To date, Plaintiff also has not requested the Court issue summonses for Defendants California Highway Patrol and Mann.

“If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m). More than 90 days have passed since Plaintiff filed his Amended Complaint. Accordingly, pursuant to Federal Rule of Civil Procedure 4(m), the Court **ORDERS** Plaintiff to show cause, in writing and no later than **December 6, 2016**, why this case should not be dismissed for failure to serve within the time required by Rule 4(m). Notice is hereby provided that failure to file a written response will be deemed an admission that Plaintiff does not intend to prosecute, and the case will be dismissed without prejudice. For this reason, it is imperative that the Court receive a

<sup>1</sup> Plaintiff does not identify these Defendants’ first names in his Amended Complaint or in his proposed summonses.

written response by the deadline above.

**IT IS SO ORDERED.**

Dated: November 29, 2016



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MARIA-ELENA JAMES  
United States Magistrate Judge